## *DETAILED ACTION*

1.      The request filed on September 12, 2008 for a request for continued examination (RCE) under 37 CFR 1.114 based on patent application 10/716,226 is acceptable and an RCE has been established. Claims 7-9 and 20-22 are canceled. Thus claims 1-6 , 10-19 and 23-24 are pending of which claims 1 and 17 are independent claims.

2.      Applicant's representatives Patrick A. Quinlan, Reg. No. 61287 and Examiner conducted a telephone interview on September 9 and 12, 2008. The subject matter of the interview is attached or have been previously provided.

3.      Both Applicant's representatives, and Examiner agreed on the claim language; in particular all parties discussed claim amendments to overcome the ground of rejection. **Accordingly independent claims 1 and 17 are amended to incorporate the claim language discussed in the interview.**

## *Priority*

4.      This application is **a continuation of application** <u>10655573</u> **which Claims Priority from Provisional application** <u>60442464</u>, filed on 01/23/2003. Therefore, the effective filling data for the subject matter defined in the pending claims of this application is **01/23/2003.**

## *Allowable Subject Matter*

5.      **Claims 1-6, 10-19 and 23-24** are allowed.

6.      The following is an examiner's statement of reasons for allowance:

All independent claims **1 and 17** are amended.

Before the independent claims were amended, the art on the record discloses the general subject matter recited in the claims.

For instance, referring to the pervious independent claims 1 and 17, the art on the record, in particular
**Belfiore, the primary reference on the record, discloses a system for providing a usage accountability model for data security in a data processing system comprising:**

- **A user device having a sensor for to sense or capture atomic level events at a point of authorized access to at least one digital assest by an end user client device**; *[column 20, lines 57-58, figure 5, ref. Num "606" see "atomic events provided by event sources 602"/As shown on figure 5, ref. Num "606" the atomic events are captured)* **the sensor located within an operating system kernel within a user client device;** *Column 28, lines 1-6 and column 22, lines 46-56] [For instance on column 28, lines 1-6 the following has been disclosed. "In one embodiment, the HTTP client is implemented in kernel mode. Reasons for implementation in kernel mode include 1) performance; 2) communication with kernel components; and 3) listener/talker integration. The benefits of listener/talker integration include performance optimizations and shared implementation." Furthermore on column 22, lines 46-56 the following has been*

*disclosed. The event system includes a highly optimized publication*

*and subscription service driven by model-based subscription*

*registrations. The events system allows for flexibility and choice of*

*the service to publish events, such as, by way of example, <u>kernel</u>*

*events (e.g. WDM drivers events) that utilize a <u>kernel</u> driver*

*programming model, non-COM APIs for publishing events (e.g.*

*security audit events, a directory, a service control manager) that*

*utilize a low-level operating system service programming model,*

*classic COM interfaces for normal applications, and high-level COM+*

*classes that utilize native COM+ programming model.) and*

- a journaling server having **An aggregator, to accept
or for accepting the atomic level events from the user client
device and to generate an aggregate a t least some of the
atomic level events to generate at least one aggregate based
on a predetermined sequence of atomic level events.** *[column
21, lines 4-12 and column 20, lines 57-67] (Event composition 608*
**aggregates,** *filters, and* **transforms lower-level events (atomic
events 606) which meets the limitation of "multiple atomic
level events"** *into higher-level events 612, which meets the*
*limitation of a journal/aggregate event. And, at times, maps the*
*events directly into actions, such as world action 614. The actions*
*include real-world actions 614 and information-gathering actions*
*616 that serve to gather new events via actively polling or listening.*

*Event composition 608 provides methods for combining*

***events*** *and data, whether the events are observed in close temporal*

*proximity or at widely different times. On column 20, lines 57-67, the*

*following has also been disclosed, "**The event component 155***

***transforms fundamental or atomic events 606 provided by***

***event sources 602 into progressively higher-level***

***events/predetermined sequence of atomic level;** th*rough an

*event composition mechanism 608. The process of event composition*

*is the construction of new events or actions from a set of observed*

*events and/or stored event data. Event composition may be driven*

*by rules, filters, and by more advanced pattern recognizers*

*spanning a spectrum of sophistication all the way up to rich*

*inferential machinery. Thus, event composition adapts the set of*

*available atomic events 606 into observations 610 that are*

*appropriately matched to the informational requirements of software*

*components, providing them with information at the right level of*

*abstraction to make good decisions.)*

**Belfiore** does not explicitly disclose, the following limitation

"Having a reporter to generate an audit trail from the at least one

aggregate event, the audit trail representing usage of the at least

one digital asset by the end user"

However, in the same field of endeavor, **Ginter on column 65,**

**lines 4-34** discloses the following which meets the above

limitation.

*"FIG. 35 shows an example overall usage clearing process. In this
example, a provider 164 provides a digital property to consumers
95(1), 95(2), 95(3). For example, provider 164 might provide a novel
or other work 166 to each of the consumers 95 within electronic
containers 152. One or more control sets 188 may be associated
with the work 166 (and may, in one example, be delivered within
the same electronic container 152 used to deliver the work 166). The
controls 188 may specify that certain types of <u>usage</u> information
must be gathered in the form of an <u>audit trail, and that the audit
trail</u> must be reported based on certain time and/or other <u>events</u>.*

*Because container 152 can only be opened within a secure protected
processing environment 154 that is part of the virtual distribution
environment described in the above-referenced Ginter et al. patent
disclosure, provider 164 can be confident that the required audit
trails will be generated and reported as he or she instructs. As
consumers 95 use the property 166, their electronic appliances 100
automatically gather and store the usage information in the form of
audit trails 302. Then, upon the occurrence of a specified <u>event</u> (e.g.,
once a month, once a week, after a certain number of uses, etc.), the
consumer electronic appliances 100 send <u>audit trail</u> information 302
within digital containers to <u>usage</u> clearinghouse 300.*

*Usage clearinghouse 300 collects the audit trail information 302,
may store it in its database 316, and analyzes **the audit trail
information to generate a report 304** which it may send to
provider 164 within a further electronic container 152."*

However the combination of the art on the record does not explicitly

disclose the following specific functional limitation which is added to the

respective independent claims.

**(iii) a coalescing aggregator to aggregate sets of atomic level events**

**relating to respective single end user actions into single atomic**

**level events, resulting in coalesced atomic level events, and to**

**bundle and encrypt the coalesced atomic level events, resulting in**

**bundles of coalesced atomic level events;** and

**(ii) to decrypt the bundles of coalesced atomic level events,**

**(iii) to store the coalesced atomic level events in a table having**

**fields relating to the coalesced atomic level events including event**

**type, event category, event name, event detail, and event**

**discriminant,**

Any comments considered necessary by applicant must be submitted no
later than the payment of the issue fee and, to avoid processing delays,
should preferably accompany the issue fee. Such submission should be
clearly labeled "Comments on Statement of Reasons for Allowance."

## *Conclusion*

Any inquiry concerning this communication or earlier communications
from the examiner should be directed to Samson B Lemma whose
telephone number is 571-272-3806.  The examiner can normally be
reached on Monday-Friday (8:00 am --4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the
examiner's supervisor, BARRON JR GILBERTO can be reached on.  The
fax phone number for the organization where this application or
proceeding is assigned is 571-273-8300.

09/12/2008
/Samson B Lemma/
Examiner, Art Unit 2132

/Gilberto Barron Jr/
Supervisory Patent Examiner, Art Unit 2132